

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

SIPA LIQUIDATION

Defendant.

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**[PROPOSED] ORDER GRANTING BLUMS' MOTION IN LIMINE**

Upon review and consideration of the above-captioned Motion *in Limine*, on this  
\_\_\_\_ day of \_\_\_\_\_, 2016, the Court hereby **GRANTS** the Motion in its entirety  
and **ORDERS** the following relief:

1. Exclusion of all testimony or exhibits regarding unrelated customers or accounts not at issue under FED. R. EVID. 401-403, including Trustee Exs. 24.1-13, 24.16, 24.18, 24.20-24.208, 31-69, 73, 76-243, 272-514;
2. Exclusion of all “PW” notations on customer records for lack of proper authentication, and as hearsay to the extent they are offered to prove that the customer requested or received a profit withdrawal, including Trustee Exs. 120-474, 524-532;
3. Exclusion of all marginalia (e.g., “S” notations) in relevant customer files for lack of proper authentication, and as hearsay to the extent it is offered to prove that a customer requested the account profits be sent, including Trustee Exs. 70-72, 74;
4. Exclusion of all speculation as to the contents of missing records (e.g., cancelled checks);
5. Exclusion of all testimony that incorporates or repeats hearsay;

6. If offered as expert opinion, exclusion of Collura and Greenblatt's speculation under Rule 702 as not within the professionals' area of expertise, not the product of reliable data and methodologies, and/or not appropriate assistance to the trier of fact; and
7. If offered as expert opinion, exclusion of Collura and Greenblatt's speculation under Rule 703 because the Trustee's professionals do not rely on the type of records generally used by experts in their respective field.

Dated:

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The Honorable Stuart M. Bernstein